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OFFICE OF PETITIONS

In re Application of :
Morimasa Yoneoka :
Application No. 10/775,984 :
Filed: February 9, 2004 :
For: SEPARABLE END STOP FOR :
SLIDE FASTENERS : ON PETITION

This is a decision on the Petition to Acknowledge Receipt of Drawings, filed as part of a Response to Notice of Omitted Items in a Nonprovisional Application, filed October 20, 2004, requesting the application be accorded a filing date of February 9, 2004, including drawing Figures 12-16 described in the specification.

The petition is granted.

The application was filed on February 9, 2004. However, on August 20, 2004, the Office of Initial Patent Examination mailed a Notice of Omitted Items in a Nonprovisional Application ("Notice"), noting that a filing date had been accorded the application; however drawing Figures 12-16 described in the specification appeared to have been omitted from the application.

In response, Petitioner files the instant petition wherein Petitioner avers that drawing Figures were included among 16 sheets of drawings pages of drawings originally filed with the application on February 9, 2004, and were received by this Office as evidenced by the return-receipt postcard. In support, Petitioner provides a copy of a return receipt postcard acknowledging receipt of, *inter alia*, 16 sheets of drawings on February 9, 2004.

A review of Office records reveals that 14 sheets of drawings, containing Figures 1 - 11 and 17-26, were received on February 9, 2004. A review of the return receipt postcard reveals, and the postcard acknowledges receipt of 16 sheets of drawings on

February 9, 2004. Petitioner has also re-submitted 3 sheets of drawings, containing drawing Figures 12-16, with the instant petition.

Evidence of receipt of any correspondence filed in the Patent and Trademark Office can be obtained by submitting a self-addressed postcard properly itemizing and identifying the paper or papers being filed. Upon receipt of the correspondence, the Patent and Trademark Office will check the listing on the postcard against the papers submitted, making sure that all items listed are present and will then stamp the postcard with an Official date stamp and place the postcard in the outgoing mail. "A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all items listed thereon by the PTO." MPEP § 503.

The copy of 3 sheets of drawings containing drawing Figures 12-16 and supplied with the instant petition on October 20, 2004, will be used for examination purposes.

No fee has been charged and none is due.

The application will be returned to the Office of Initial Patent Examination for further processing as a nonprovisional application with a filing date of February 9, 2004, and an indication that drawing Figures 12-16 were present on filing, using the copy of 3 sheets of drawings containing drawing Figures 12-16 filed on October 20, 2004.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.



Derek L. Woods
Petitions Attorney
Office of Petitions